United Nations S/2005/236

Security Council

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Letter dated 11 April 2005 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to my letter dated 24 February 2005 (S/2005/127) by which I forwarded to the Security Council, further to paragraph 1 (c) of article 13 ter of the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the 11 nominations for ad litem judges of the Trial Chambers of that Tribunal which had been received from States Members of the United Nations within the 60-day period specified in paragraph 1 (b) of article 13 ter of the statute.

I also have the honour to refer to the letter dated 14 March 2005 (S/2005/159) from the President of the Security Council, in which he informed me of the decision of the Security Council, which was taken at its 5140th meeting, to agree to the suggestion I had made in my letter of 24 February 2005 that the Council extend the deadline for nominations for ad litem judges of the Trial Chambers of the Tribunal until 31 March 2005.

Pursuant to paragraph 1 (c) of article 13 ter of the statute of the Tribunal, I have the honour to forward to the Security Council the 22 nominations for ad litem judges of the Trial Chambers of the Tribunal which have been received from States Members of the United Nations within the period specified in paragraph 1 (b) of article 13 ter of the Tribunal's statute, as extended by the Security Council in the decision taken at its 5140th meeting. The list of candidates,* in alphabetical order, is annexed to this letter, together with the curricula vitae which have been provided in connection with their nominations.

I would draw the attention of the Security Council to paragraph 1 (c) of article 13 ter of the statute which provides in the relevant part as follows: "From the nominations received, the Security Council shall establish a list of not less than 54 candidates, taking due account of the adequate representation of the principal legal systems of the world and bearing in mind the importance of equitable geographical distribution."

I would note that the list of 22 candidates is short of the minimum number of 54 which is required by paragraph 1 (c) of article 13 ter of the statute of the Tribunal. I would accordingly suggest that the Security Council extend the deadline for nominations until 21 April 2005.

* Circulated only to the members of the Security Council.

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If the Security Council were to so extend the deadline, I would notify States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters accordingly.

(*Signed*) Kofi A. **Annan**